GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Registration & Stamps Department – Exemption of Stamp Duty on the value of Improvements that will be taken up by M/s Jindal Waste Management(Guntur) Ltd on the land of an extent of Ac.20.00 situated in R.s.No.933, 938, 939 & 943 of Kondaveedu(V), Edlapadu(M) Guntur District leased out by Guntur Municipal Corporation (GMC) for setting up of Waste to Energy Plant - Under Section 9(1)(a) of Indian Stamp Act, 1899 – Notification – Orders – Issued.

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REVENUE (REGISTRATION. II) DEPARTMENT

G.O.MS.No. 337 Dated: 28-06-2018

Read the following:-

1.G.O.Ms.No.160, MA&UD(J2) Department, Dt:24.06.2016.
2.From MD, Swachha Andhra Mission, A.P., Vijayawada, Note in file Rc.No/SAM/2018/01/14, Dt.11.01.2018 addressed to MA&UD Department.
3. MA&UD(J2) Department U.O.No. Rc.No/SAM/2018/01/14,(Single file) dated:26.02.2018.
4.From the Director & Inspector General , Registration & Stamps, Lr.No. Rev-08-12023/1/2018-Stamps-IGRS, dated:30.04.2018.

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ORDER:

Government, in G.O.1st read above, accorded permission to Guntur Municipal Corporation(GMC) to lease out land of an extent of 20.00 acres situated in Rs.No.933, 938, 939 & 943 of Kondaveedu(V), Edlapadu(M), which is under the possession of GMC to M/s Jindal Waste Management(Guntur) Ltd for setting up of 15 MW Waste to Energy plant, for a period of 25 years.

2. The Managing Director, Swachha Andhra Mission, has stated that Jindal Urban Land Waste Management ( Guntur) Ltd. has concluded Land Lease Agreement (LLA) with Guntur Municipal Corporation on 15.12.2016 for setting up of 15 MW Waste to Energy Project on DBOT basis for 25 years. After 25 years, the Project shall be transferred to GMC in operational condition. M/s Jindal ITF intends to register the LLA. The Addl.charges towards Stamp Duty on improvements would be burden to the project and the request of M/s Jindal ITF for waiving of stamp duty on improvements may be considered.

3. The MA&UD Department has stated that improvement fee has to be paid in case of long lease. But that will be a big burden on the investor/developer as the Waste to Energy plant itself is not a very viable project. Now the lease deed has to be registered. Hence the improvement fee, if any, may be waived off, in order to make the project viable.

4. The Director& Inspector General, Registration & Stamps, has stated that the referred is a lease deed executed between Guntur Municipal Corporation and Jindal Waste Management (Guntur) Ltd for a period of 25 years along with Concessionaire Agreement for improvements of a project cost of Rs.218.84 Crores and the chargeability shall be leviable under Articles 31 (a)(V) and 31(d), the details of which are as follows:

| S.No. | Chargeability of the document | Chargeability under the Article | Stamp Duty leviable | Registration Fee leviable |
|---|---|---|---|---|
| 1 | Lease Deed (25 years) | Art 31(a)(v) | Rs.9,59,539/-(@15% on AAR) | Rs.6,350/- (@ 0.1 % on AAR) |
| 2 | Improvements of project Building | Art 31 (d) | Rs.4.38 Crores ( @ 2 % on Project cost in addition to the duty on rental basis | |
| Total | | | Rs.4,47,65,936/- | Rs.6,350/- |

**(P.T.O)**

The applicant company is seeking for exemption of Stamp Duty on the value of improvements i.e Rs.4.38 crores and the presumptive loss to the state is Rs.4.38 crores, if exemption of Stamp Duty is allowed on the said deed of lease. The Director & inspector General, Stamps & Registration A.P., has finally requested to take a suitable decision by the Government being competent authority U/s (9)(1)(a) of the Indian Stamp Act, 1899.

5. Government, after careful examination of the matter, have decided to exempt M/s Jindal Waste Management(Guntur) Ltd from payment of Stamp Duty i.e., Rs.4.38 crores on the value of Improvements that will be taken up by M/s Jindal Waste Management(Guntur) Ltd in the leased out land for setting up of the plant.

6. Accordingly, the following notification will be published in an extra ordinary issue of the A.P., Gazette, dated:29.06.2018.

## NOTIFICATION

In exercise of the powers conferred by clause (a) of sub-section(1) of section 9 of the Indian Stamp Act, 1899(Act II of 1899), the Governor of Andhra Pradesh hereby remits the Stamp Duty chargeable under Articles 31(a)(v) and 31(d) of Schedule 1 A to the said Act on the value of improvements that will be taken up by M/s Jindal Waste Management (Guntur) Ltd for setting up of 15 MW Waste to Energy Plant in the Leased out land of an extent of Ac.20.00 acres situated in Rs.No.933, 938, 939 & 943 of Kondaveedu(V), Edlapadu(M), Guntur District.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Commissioner of Printing, Stationery and Stores Purchase
(Printing Wing), A.P., (He is requested to publish the notification and furnish (25) copies to the Director & Inspector General of Registration and Stamps, Andhra Pradesh, Edupugallu, Vijayawada and (25) copies to the Government).
The Director & Inspector General,
Registration and Stamps, A.P., Vijayawada
The Jindal Waste Management (Guntur) Ltd.
The Managing Director, Swachha Andhra Mission, Vijayawada
The P.S. to Spl.C.S to CM,
The OSD to Deputy CM, Revenue,
The PS to Spl CS to Govt., Revenue.
The GA (Cabinet) Department
The MA&UD (J2) Department
SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER